

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:23-cv-00160-MOC

WENDELL JUDE LE MAITRE,)
)
)
Plaintiff,)
)
)
vs.)
)
FNU PARKER, et al.,)
)
)
Defendants.)
)
)

ORDER

THIS MATTER is before the Court on Plaintiff's First Interrogatories, Requests for Admissions, and Request for Production of Documents. [Doc. 27].

Pro se Plaintiff Wendell Jude Le Maitre ("Plaintiff") is a prisoner of the State of North Carolina currently incarcerated at Nash Correctional Institution in Nashville, North Carolina. On October 4, 2023, he filed this action pursuant to 42 U.S.C. § 1983. [Docs. 1, 1-1 (postmark)]. Plaintiff's Complaint survived initial review in accordance with the Court's Order and the Court recently entered its Pretrial Order and Case Management Plan, which sets the discovery deadline as December 17, 2024. [Docs. 9, 20].

Plaintiff has now filed a discovery request directed to Defendants.¹ [Doc. 27]. This filing is improper and will be stricken from the record in this matter. As Plaintiff was expressly advised in the Order of Instructions, discovery requests are not filed with the Court. [See Doc. 3]. They should only be served on the opposing party. Moreover, a pro se plaintiff cannot serve documents on an opposing party by filing them with the Court.

Plaintiff is cautioned to review the Order of Instructions, the Local Rules of this

¹ For reasons unclear to the Court, Plaintiff served a copy of this discovery request on the North Carolina Prisoner Legal Services, but apparently did not serve a copy on Defendants. [See Doc. 27 at 16].

Court, and the Federal Rules of Civil Procedure before filing documents with this Court.

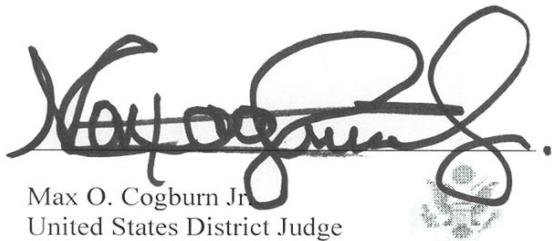
Any future improper filings may be summarily dismissed and/or stricken from the record.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's First Interrogatories, Requests for Admissions, and Request for Production of Documents [Doc. 27] is **STRICKEN** from the record in this matter.

IT IS SO ORDERED.

Signed: December 13, 2024



Max O. Cogburn Jr.
United States District Judge